



September 24, 2015

There is a lot of activity going on in Washington, DC this week related to the Pope's visit and the state visit by the President of China, but not much legislative action is occurring in Congress. Next Thursday is October 1, the first day of the new fiscal year, and there is still no clear plan for how Congress is going to avoid a government-wide shutdown similar to the one that occurred just two years ago in 2013. With all the attention focused on the FY'16 budget crisis, MAP-21 authorization (which expires on October 29) and FAA authorization (which expires on September 30) have taken a back seat.

Other critical pending issues which Congress must deal with this fall include the passage of the expired Export-Import Bank authorization, the Iran nuclear deal, an increase in the debt ceiling, a tax extenders bill, and a potential budget deal.

FY'16 Appropriations

On Tuesday, the Senate introduced a short-term Continuing Resolution (CR) which would fund all federal government agencies at existing funding levels through December 11. This would presumably give Congress enough time to reach agreement on a budget deal that would identify additional funding and allow Congress to pass year-long agency appropriations bills. The Senate is considering holding a rare weekend session to pass the CR. However, unlike most CRs, this one is not "clean". It includes a number of extraneous provisions including some non-controversial ones, such as a six-month extension of the Federal Aviation Administration (FAA) programs and funding, and some very controversial ones, such as prohibiting funding for any Planned Parenthood facilities which perform or fund abortions. The Senate CR does not currently include an extension of the December 31 implementation deadline for Passenger Train Control (PTC).

The Planned Parenthood provision will severely limit the Senate's ability to get a supermajority of 60 votes in support of the CR in order to avoid a potential Democratic filibuster.

The House, which traditionally initiates the annual appropriations bills, has yet to announce its strategy for a CR. Speaker Boehner is under intense pressure from social conservatives to include a Planned Parenthood provision or risk a vote on his leadership.

The White House was originally opposed to a CR which did not deal with the budget caps, but then backed off that position in order to avoid a government shutdown. However, the President will definitely veto a CR which defunds Planned Parenthood.



More information on the impacts of a potential government shutdown will be provided next week as it gets closer to October 1 without a funding deal in place.

Surface Transportation Reauthorization

Although the House T&I Committee staff continues to work to finalize a draft of a six-year surface transportation reauthorization bill, their companion to the Senate's DRIVE Act, no date has been set for its introduction or for committee action. There had been speculation that the T&I Committee might pass the policy provisions of the bill and proceed to the House floor without waiting for the House Ways & Means Committee to identify additional revenue. Funding for the bill would then be debated during conference with the Senate. However, that scenario now appears unlikely. As a result, a number of House leaders, including House T&I Committee Chairman Bill Shuster (R-PA), have indicated that another short-term extension of MAP-21 is likely when the current extension expires on October 29.

The current extension, which Congress passed in late July right before it adjourned for the summer recess, includes sufficient new revenue to fund highway and transit programs through the end of the calendar year, making December 31 the probable expiration date of the next extension. Any date beyond that would require additional revenue.

House Way & Means Committee Chairman Paul Ryan (R-WI) continues to advocate for passage of an international tax reform bill that would include new revenue for the Highway Trust Fund (HTF) from the repatriation of overseas corporate profits. However, he has yet to introduce such a bill.

Last week, a group of more than 60 prominent national industry groups signed a letter to Congress urging quick passage of a six-year surface transportation authorization bill. Here is a [link](#) to the letter.

Other

TOD Grants – In the September 15 Federal Register, FTA published a list of the projects selected for the Transit Oriented Development (TOD) Pilot Program which was authorized in MAP-21. FTA received 28 proposals in 20 states. All 21 of the projects that were deemed eligible received some level of funding. The total funding allocated was \$19.49M. The original NOFA was published a year ago. Here is a [link](#) to the list of projects selected.

Environmental Streamlining - The Obama Administration took additional steps this week to expedite the federal permitting process for infrastructure projects. It issued guidance for



establishing metrics to be used by federal agencies and it upgraded the Federal Infrastructure Permitting Dashboard. No funding is attached to the new guidance or upgraded Dashboard. The permitting Dashboard is a tool that was developed by the Administration to publicly track the progress federal agencies are making in completing federal permitting and environmental review processes for proposed infrastructure projects. Here is a [link](#) to the guidance and a [link](#) to the Dashboard.

GAO Report on PTC Implementation - Major freight and commuter railroads will need an additional one to five years to implement a safety system intended to prevent train-on-train collisions and derailments, according to the federal Government Accountability Office (GAO). The GAO released a new report on September 16 showing that 20 of 29 freight and passenger railroad providers reviewed would miss the December 31 deadline to install positive train control (PTC). Notably, PTC would not be fully operational on Amtrak's Northeast Corridor and other routes by the end of 2015 - a goal the passenger rail carrier set following a May 12 train derailment in Philadelphia. Amtrak does not own portions of track that its trains use and must rely on host railroads to equip the track, the report said. The GAO recommended that Congress extend the PTC implementation deadline. The Senate-passed DRIVE Act would extend the PTC deadline to 2018. Here is a [link](#) to the GAO Report.

US DOT "Beyond Traffic" Forums – US DOT will hold 11 forums around the country featuring Secretary Anthony Foxx. These events will facilitate conversation and solicit feedback to inform the final *Beyond Traffic* report on key transportation trends and policy proposals to be published in 2016. *Beyond Traffic* was launched in early 2015 to spark a national dialogue about the shape, size, and condition of the nation's transportation system and how it will need to meet the needs and goals for decades to come. Here is a [link](#) to more information about *Beyond Traffic* including the full framework. The forums are open to the public.

[Beyond Traffic Megaregion Dates and Locations and Links for Additional Information and to RSVP](#)

Friday, September 18, [Sacramento](#) , CA- - already completed
Monday, September 21, [Phoenix](#) , AZ – already completed
Monday, September 28, [Long Beach](#) , CA
Wednesday, September 30, [Austin](#) , TX
Friday, October 2, [Orlando](#) , FL
Tuesday, October 6, [Seattle](#) , WA
Wednesday, October 14, [Boston](#) , MA
Friday, October 16, [New Orleans](#) , LA
Wednesday, October 21, [Indianapolis](#) , IN
Friday, October 23, [Charleston](#) , SC
Tuesday, October 27, [Denver](#) , CO



Washington Update

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Additional information and materials, including archived Washington Updates, are located on the new WSP | Parsons Brinckerhoff *Federal Briefing* website at www.federalbriefing.com . This is a new URL and title for the website previously named *PB Transportation Update*. The old website URL will automatically redirect to the new website, but please bookmark this new address for future reference.